IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bass, Sullivan, Theill, and Wang

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For: Novel *DKR* Polypeptides

Docket No.: A-548A

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please enter this preliminary amendment to the record for the referenced patent application.

In The Claims

Please cancel claim 18-20.

Please enter claims 1 through 17 into the record and amend claims 1, 3, 4, 5, and 17 as shown:

1. (amended) An isolated nucleic acid molecule encoding a biologically active DKR polypeptide selected from the group consisting of:

(a) the nucleic acid molecule comprising SEQ ID NO:1;

(b) the nucleic acid molecule comprising SEQ ID NO:3;

EXPRESS MAIL CERTIFICATE

"Express Mail" mail labeling number: EL198798559US Date of Deposit: October 9, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C F R 1 10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D C. 20231.

Sherry St. Andrew
Printed Name

S. St. Andrew
Signature

(c) the nucleic acid molecule comprising SEQ ID NO:4;

(d) the nucleic acid molecule comprising SEQ ID NO:5;

(e) the nucleic acid molecule comprising SEQ ID NO:6;

(f) the nucleic acid molecule comprising SEQ ID NO:7;

(g) the nucleic acid molecule comprising SEQ ID NO:75;

(h) the nucleic acid molecule comprising SEQ ID NO:76;

(i) the nucleic acid molecule comprising SEQ ID NO:77;

(j) the nucleic acid molecule comprising SEQ ID NO:78;

(k) the nucleic acid molecule encoding the polypeptide of SEQ ID NO:8;

(l) a nucleic acid molecule encoding the polypeptide of SEQ ID NO:10, or a biologically active fragment thereof;

(m) a nucleic acid molecule encoding the polypeptide of SEQ ID NO:11, or a biologically active fragment thereof;

(n) a nucleic acid molecule encoding the polypeptide of SEQ ID NO:12, or a biologically active fragment thereof;

(o) a nucleic acid molecule encoding the polypeptide of SEQ ID NO:13, or a biologically active fragment thereof;

(p) a nucleic acid molecule encoding the polypeptide of SEQ ID NO:14, or a biologically active fragment thereof

(q) a nucleic acid molecule that encodes a polypeptide that is at least 85 percent identical to the polypeptide of SEQ ID NOs: 10, 11, 12, 13, or 14;

(r) a nucleic acid molecule that encodes a biologically active DKR polypeptide that has 1-100 amino acid substitutions

and/or deletions as compared with the polypeptide of any of SEQ ID NOs:8, 10, 11, 12, 13, or 14; and

(s) a nucleic acid molecule that hybridizes under conditions of high stringency to any of (b), (c), (d), (e), (f), (g), (h), (j), (k), (l), (m), (n), (o), (p), (q), and (r) above.

3. (amended) An isolated nucleic acid molecule comprising SEQ ID NO:1, SEQ ID NO:3, SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO:6, or SEQ ID NO:7.

4. (amended) An isolated nucleic acid molecule encoding the polypeptide of SEQ ID NO:8, SEQ ID NO:10, SEQ ID NO:11, SEQ ID NO:12, SEQ ID NO:13,or SEQ ID NO:14.

5. (amended) An isolated nucleic acid molecule encoding a biologically active DKR polypeptide selected from the group consisting of: amino acids 15-266, 24-266, or 32-266 of SEQ ID NO:10; amino acids 17-259, 26-259, or 34-359 of SEQ ID NO:12; and amino acids 19-224, 20-224, 21-224, or 22-224 of SEQ ID NO:14.

17. (amended) The process of claim 16 wherein the polypeptide is SEQ ID NO:8, SEQ ID NO:10, SEQ ID NO:11, SEQ ID NO:12, SEQ ID NO:13 or SEQ ID NO:14.

Please add the follow new claim:

21. An isolated polypeptide having activity in the anchorage dependent growth assay selected from the group consisting of:

(a) the polypeptide of any of SEQ ID NOs: 10, 11, 12, 13, and 14;

(b) a polypeptide that has 1-60 amino acid substitutions, deletions, or both as compared to any of the polypeptides in (a) above; and

(c) a polypeptide that is at least 90 percent identical to any of the polypeptides set forth in (a) above.

REMARKS

Claims 1, 3, 4, 5, and 17 have been amended to delete the reference to SEQ ID NOs: 2 and 9.

New claim 21 has been added to capture the subject matter of original claim 18 (which was prosecuted in the parent patent application).

No new matter is added by this amendment.

The Commissioner is hereby authorized to charge any filing fees which may be required or credit any overpayment to Deposit Account No. 01-0519 in the name of Amgen Inc.

Respectfully submitted,

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Please send all future correspondence to:

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. An isolated nucleic acid molecule encoding a biologically active DKR polypeptide selected from the group consisting of:

(a) the nucleic acid molecule comprising SEQ ID NO:1;

~~(b) the nucleic acid molecule comprising SEQ ID NO:2;~~

(~~e~~b) the nucleic acid molecule comprising SEQ ID NO:3;

(~~d~~c) the nucleic acid molecule comprising SEQ ID NO:4;

(~~e~~d) the nucleic acid molecule comprising SEQ ID NO:5;

(~~f~~e) the nucleic acid molecule comprising SEQ ID NO:6;

(~~g~~f) the nucleic acid molecule comprising SEQ ID NO:7;

(~~h~~g) the nucleic acid molecule comprising SEQ ID NO:75;

(~~i~~h) the nucleic acid molecule comprising SEQ ID NO:76;

(~~j~~i) the nucleic acid molecule comprising SEQ ID NO:77;

(~~k~~j) the nucleic acid molecule comprising SEQ ID NO:78;

(~~l~~k) the nucleic acid molecule encoding the polypeptide of SEQ ID NO:8;

~~(m) a nucleic acid molecule encoding the polypeptide of SEQ ID NO:9;~~

(~~n~~l) a nucleic acid molecule encoding the polypeptide of SEQ ID NO:10, or a biologically active fragment thereof;

(~~o~~m) a nucleic acid molecule encoding the polypeptide of SEQ ID NO:11, or a biologically active fragment thereof;

(~~p~~n) a nucleic acid molecule encoding the polypeptide of SEQ ID NO:12, or a biologically active fragment thereof;

(~~q~~o) a nucleic acid molecule encoding the polypeptide of SEQ ID NO:13, or a biologically active fragment thereof;

(~~r~~p) a nucleic acid molecule encoding the polypeptide of SEQ ID NO:14, or a biologically active fragment thereof

(~~s~~q) a nucleic acid molecule that encodes a polypeptide that is at least 85 percent identical to the polypeptide of SEQ ID NOs: 10, 11, 12, 13, or 14;

(~~t~~r) a nucleic acid molecule that encodes a biologically active DKR polypeptide that has 1-100 amino acid substitutions and/or deletions as compared with the polypeptide of any of SEQ ID NOs:8, ~~9,~~ 10, 11, 12, 13, or 14; and

(~~u~~s) a nucleic acid molecule that hybridizes under conditions of high stringency to any of (~~c~~b), (~~d~~c), (~~e~~d), (~~f~~e), (~~g~~f), (~~h~~g), (~~i~~h), (~~k~~j), (~~l~~k), ~~(m),~~ (~~n~~l), (~~o~~m), (~~p~~n), (~~q~~o), (~~r~~p), (~~s~~q), and (~~t~~r) above.

3. An isolated nucleic acid molecule comprising SEQ ID NO:1, ~~SEQ ID NO:2,~~ SEQ ID NO:3, SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO:6, or SEQ ID NO:7.

4. An isolated nucleic acid molecule encoding the polypeptide of SEQ ID NO:8, ~~SEQ ID NO:9,~~ SEQ ID NO:10, SEQ ID NO:11, SEQ ID NO:12, SEQ ID NO:13,or SEQ ID NO:14.

5. An isolated nucleic acid molecule encoding a biologically active DKR polypeptide selected from the group consisting of: ~~amino acids 16-350, 21-350, 22-350, 23-350, 33-350, or 42-350, 21-145, 40-145, 40-150, 45-145, 45-145, 145-290, 145-300, 145-350, 150-290, 300-350, or 310-350 of SEQ ID NO:9;~~ amino acids 15-266, 24-266, or 32-266 of SEQ ID NO:10; amino acids 17-259, 26-259, or 34-359 of SEQ ID NO:12; and amino acids 19-224, 20-224, 21-224, or 22-224 of SEQ ID NO:14.

17. The process of claim 16 wherein the polypeptide is SEQ ID NO:8, ~~SEQ ID NO:9,~~ SEQ ID NO:10, SEQ ID NO:11, SEQ ID NO:12, SEQ ID NO:13 or SEQ ID NO:14.

21. An isolated polypeptide having activity in the anchorage dependent growth assay selected from the group consisting of:

(a) the polypeptide of any of SEQ ID NOs: 10, 11, 12, 13, and 14;

(b) a polypeptide that has 1-60 amino acid substitutions, deletions, or both as compared to any of the polypeptides in (a) above; and

(c) a polypeptide that is at least 90 percent identical to any of the polypeptides set forth in (a) above.